

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

<b>IN THE MATTER OF THE COMPLAINT FILED )</b>		<b>ORDER DISMISSING</b>
<b>BY BETTY BEST ON BEHALF OF BEST )</b>		<b>COMPLAINT AND CLOSING</b>
<b>BUSINESS PRODUCTS, SIOUX FALLS, )</b>		<b>DOCKET</b>
<b>SOUTH DAKOTA, AGAINST MIDAMERICAN )</b>		
<b>ENERGY COMPANY AND XCEL ENERGY )</b>		<b>CN01-001</b>
<b>REGARDING THE UNAUTHORIZED USE OF )</b>		
<b>PERSONAL PROPERTY )</b>		

On August 3, 2001, the Public Utilities Commission (Commission) received a complaint filed by Betty Best on behalf of Best Business Products, Sioux Falls, South Dakota (Complainant), against MidAmerican Energy Company (MidAmerican) and Xcel Energy (Xcel) regarding the unauthorized use of personal property.

On August 23, 2001, the complaint was faxed to MidAmerican and Xcel. Pursuant to ARSD 20:10:01:09, MidAmerican and Xcel were notified that they must satisfy the complaint or file answers in writing with the Commission by September 12, 2001. On August 30, 2001, the Commission received an amended complaint filed by Complainant. The amended complaint removed Xcel Energy as a defendant. The Commission has not received an answer from MidAmerican to this complaint. On September 24, 2001, Commission Staff received word from the Complainant stating that the complaint against MidAmerican had been resolved.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-34A.

On October 10, 2001, at a regularly scheduled meeting, the Commission considered this matter. Upon recommendation of Commission Staff, the Commission voted to dismiss the complaint and close the docket. It is therefore

ORDERED, that the complaint shall be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 18th day of October, 2001.

<b>CERTIFICATE OF SERVICE</b>
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: _____
Date: _____
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

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JAMES A. BURG, Chairman

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PAM NELSON, Commissioner